# EUROPE.

Chevaller Wikeff on the French Press Law and the Mission of the Press.

The Male Population of France Called to Arms.

THE CARLIST REVOLUTION IN SPAIN

The German mail steamship Hansa, Captain Otern erp, which left Bremen on the 9th and Souther on the 11th of February, arrived off this port on Sunday night and made her dock at an early hour yesterday morning. The Hansa delivered a mall report in detait of our cable despatches, dated to her day of sailing from

The North German Lloyd's have in course of con struction no less than five first class steamships—the Rhoin, Main, Donau, Baltimere and Berlin. The first three are intended for their mail service between outhampton and New York, and the two others for their line from Southampton to Baltimore.

The Committee of the First Swelish Chamber has de-

ded, by eight votes to seven, in favor of the abelition f capital punishm nt.

The new Ministry of Greece appears to be a Cabinet of apromise, as the two parties around which the politisal men of the country gravitate are equally represented

The Servian journal Zustawa says:-"Mithad Pacha Governor of Bulgaria, has just received from the insurents of that province a letter bidding him welcome and notifying in due form a deciaration of war and the

speedy opening of hostitudes.

The Medrid Garette announces that the ports of the empire of Morocco are intected.

The Vicercy of Egypt imprisoned a number of Tunishan officers suspected of being partisans of hustaphs

FRANCE.

Editorial Assumption-Patti at Fore.

est seainst the "audacious" conduct of the person btained an audieuce of the Emperor to entreat him to

who, calling them-sives delegates from the press, obtained an audience of the Emperor to entreat him to withdraw the bin. It appears they were but three or four, and that, while pre-ending to be the representatives of the wine of the journals, they did not specify any one on whose behalf they appeared.

The Havre Journals are filled with eulogies on Mile. Adelina Patti for her recent performance in the theatre of that town of Rosins in the "Barbière." In the music lesson sine sang a composition emitted "Los Echea," borrowel from the repettory of Jeany Lind, for whom it was composed by Ecker. The artist afterward played the mad scene in "Lucia," and produced a great effect. The sarquis de Caux occupied a stall. For great receipts of the theatre were 10,030f, the highest amount ever taken there. After the performance the orchestra and the chorus gave Mile. Patti agrand screened in front of ner hot!

The Paris correspondent to the London Necs says:—General Cluseret, a Frenchman and a captain in the French army at sebasopos, but whose general's commission was given him by the United States, has been aummened before a judge of instruction to show by what right he dues amost "gen ran." There is no dount that he will be able to give a good and honest answer; but M. Casagnan's "say, assuming that he will be found to be a na una zed American, maintains that the courageous corre-position to the Courage and army which he knows so wen, will probably be sent out of the courty as an alled.

The Chevalier Wikoff on the New Press Law and the Legislative Debate-Government Restrictions on American Newspapers-The News Revolution Created by the New

Vort Herald.
[From Galignani's Messenger, Feb. 11—Evening.] The Paris journals of this morning's date continue mment at considerable length on the press question, s their articles are generally of an abstract cuarac-

bus their articles are generally of an abstract cuaracter, and may be looked on as portions of long essays and may be looked on as portions of long essays and may be looked on as portions of long essays and may be looked on as portions of long essays and may be looked on as portions of long essays and may be looked on as portions of long essays and may be looked on as portions of long essays and may be looked on as portions of long essays and may be looked on as portions of long essays and may be looked on as portions of long essays and may be looked on as portions of long essays and may be looked on as portions of long essays and may be looked on as portions of long essays and may be looked to proceed. ("Yes, yes," and unmertends that the right of the speaker be supported, (cries of "Ye, yes," and unmertends to long the long and with the newspaper world in that city. He commences by declaring that, as an american democrate be could not but feet grain to allow the sponsor to proceed. ("Yes, yes," and unmertends that the right of the speaker be supported, (cries of "Ye, yes," and unmertends that the right of the speaker be supported, (cries of "Ye, yes," and unmertends that the right of the speaker be supported, (cries of "Ye, yes," and unmertends that the right of the speaker be supported, (cries of "Ye, yes," and unmertends to proceed a sevent be presented to the constant of the United States frequently appeared to in the Legislative Body suring the declares on the press in France; but after long journeyings, much observation and patient reduced to seeing the second of the reduced to be allowed to proceed. ("Yes, yes," and unmertend that the right of the speaker be supported, (cries of "Ye, yes," and unmertend with the newales, and the contrary that the reduced to be allowed to proceed. ("Yes, yes," and unmertend with the newales, and the contrary to the United States frequently appeared to interest persons of the Citis of "Ye, yes," and unmertend year. The Constance of the United States frequently appeared to a have succeeded in diversing mysels of this great intutions have, in the contrasts of their history, in
the divergences of their characters, and in
the dissimilarity of their habits, just so many
lanurmountable barners which oppose, and will always
do so, the political and social uniformity dreamed of by
some minds more ardshi than practical. All the influsmoot their immenate vicinity and daily contait will
never bring about the result that England and France
can be adminiscred in the some manner. Nor will their
community of origin and of sanguage ever sead to an
nature resemblance in the political institutions and proceedings of England and the United States. A partico,
the dissimilarity is insurmountable when the question
relates to populations, races, manners and traditions so
different as the French and the American. To acque
in absolute terms the example of one country may not
therefore be positively correct when the question relates to another. In the pre-cent case, for instance, all
those who have evoked the name of the United States
do not perhaps take a just view of the rest state of the
American press. Journaism there is not lodged subjected to any press law, properly so caused; neither
have any teurostive measures or fiscal charges been
deer, ed against it; and yet its crown is far from being
altoge, her without therins. In the first place, it has to
recken very strictly with public opinion, the pressure
of which is not always of a character purely moral.
The cases of journais assaned, sometimes even prinaged
by the mob, are not rar; in our press instory. To this
straclegal check the war of secession has proved toat
the flower than the man measure, but pronounces, at
the list of which comprises at least thirty
journais (th. I speak test on the Booth It dai
not even step a that has measure, but pronounces, at
the list of which may be the free pressure
in the horft, where the war heaver penetrated,
and where might any which the south that had of the flow in the pronounces, the manning office

its independence and of the influence which it exercises. It is there that I think I have round an example for the French press to follow.

The writer then goes on to observe that down to the year 1825 American journalism had neither the importance nor the free action that it now possesses; and yet, at that period, none of the circumstances just mentioned had led to the idea that any intervention with regard to it could possibly be thought or by the government. He then adds:—But the manner in which the journals were constituted condemned them to play a restricted rôte. Divided into two campa, they were the doctie and unchangeable organs of one or other of the parties which excupied the political areas and contended for power. Every journal was whig or democrat, and nothing easy under that title it praised, defended, supported all the measures, without exception, that emanated from its own party; while it biased, attacked, and opposed indistincity whatever was proposed by the opposite ried. One might compare the whole system to a tournament, where the ground was ever the same. And so, the manner of political papers was exceedingly limited, nor was the circle of their readers and the sphere of their influence more excessive. The New York Breath was the first to enter on a new course, and others soon followed the example. At the present time there are very few newspapers in the United States that have preserved the featurem of party, and such as do merely vegetate. All the important journals pay aliegance to their redocration; but they have no longer any marrow motto, nor any predenceived determination to expand to belong, on the occasion of some measure which their party rejects, but which they think themselves bound to expand to

will pardon an American journalist for narrating what he has witnessed in his own country.

[ (1) The editor of the Constitutionnel appends a note here to the effect that the writer might, without any exaggeration, have calculated at one hundred and fifty the aggeration, have calculated as our during the American number of journals suppressed during the American

The Adjourned Debate on the Press Law-

The legislative body of France held a sitting February II, M. Le Roux, one of the vice presidents, in the chair. The order of the day was the adjourned discussion on the Press bill.

The Parsiders said—On article 10, brought forward at the last sitting, and relating to the jurisdiction which press offences are to be subjected to, MM. Marie, Jules Favre and other deputies had presented an amendment, which is thus worded:—

Offences and misdemeanors committed by means of the pressor any other mode of publication shall be sent before the Court of Assizes, to be judged at the next season. That decision shall be immediately notified to the accused pary. The audience shall be public, and a report of it cannot be interdicted. In cases of delamation proofs of the fact in writing or by witnesses shall be admissible if such facts are imputed to a public functionary who has acted in that quality.

M. Bardous, Minister of Justice, said:—The reforms we propose seem not to be considered sufficient; but ameliorations should be gradual. (Hear.) Since 1852 the press has been subjected to a discretionary authority and to the jurisdiction of the correctional tribunals. At present we bring in a bill suppressing the arbitrary power of the administration, and leaving the judges exclusively to deal with offences committed by the journals, and yet protests are offered. M. Jules Favre declares that without the jury the law will be one of irritation and war. I cannot admit that thesis, and I am here to oppose it. (Hear, hear.) Never has French legislation given, in principle, the trial of misdemeanors to a jury. Crimes alone are reserved for toat tribunal, and on the occasions when press offences were relegated to that jurisdiction the experiments were speedily leund to be lailures. In 1848 narreby and a deplorable license were the consequence, and we all, or nearly all, applanded the ducree of 1852 which put an end to that state of things.

period.

M. BAROCHE—From 1848 to 1852?

M. JULES FAVEE—During the legislation which sent press offences before a jury.

M. BAROCHE—Yes; but not in what is generally called the opposition. (Hear, hear.) In 1843 I stated in this troung that those who had cured me of republican tendencies were the republicans themselves. (Applaus.)

ir ouase that those who had cured me of republican tendencies were the republicans themselves. (Applause.)

M. PELLETAN—You were elected in the Charente-Inidricare as being a more advanced republican than myself. (Noise.)

The Passibant—I cannot allow the debate te degenerate into personalities. What the honorable Minister has stated is so much to his honor that every one ought to respect it. (Hoar, hoar.)

M. Baroche—The electors of the Charente-Inférieure deceived themselves greatly, M. Pelletan, if they e-ceted me as a republican. At an events their error did not last long; for they re-elected me in 1849, after I made the decaration I have just referred to. On that occasion apparently it was not as a republican. (Laughter) But to resurn to the question, I repeat that the decreas of the 2d December, 1851, and the 17th February, 1852, me with general approbation, and put an end to the danger which threstened society. (A-sent.) The law of 1819 and that founded on it in September, 1835, have been mentioned. What did the former do? It made a distinction between provocations followed by results and those which remained inelective, and son only the distinction between provocations followed by results and those which remained inelective, and son only the distinction between provocations followed by results and those which remained inelective, and son only the distinction of the King, or the established order of covernment, to be judged by that thigh chamber, The law of September therefore transformed mere misdemeanors into crimes, and M. Royer Collard was justified in so describing its operations. What did M. Thiers at that epoch say of the jury? He argued that for civil offences and crimes against the lives and property of citizens the jury was properly termel "the country," because on such questions there could be only one opinion; but that, in political cases, the jury by mere section; is one to the first class, the jury by mere section. dent would represent sometimes one side, sometimes another; and acquitais would speedily become the rule. (Acvement.) And so M. Thores proposed the Court of Peers. What better answer can be made to the assertion that the jury is the country and the sole impartial tribunal?

M. Threes—Ailow me to tell you—(Cries of "Do not interrupt." Noise)

The Piersboxy—No one better than M. Thiers can reply to a speech by making another. I therefore beg of him not to interrupt.

M. Threes—I appeal to the sincerity of the honorabid Minister of Ju-t.ce. (Fresh reclamations, and cries of "Los him speak.")

M. Barcoins—If M. Thiers has only a word or two to say i do not object to the interruption; but if he wisnes to make a speech I ask to be allowed to continue.

M. Threes—I have only a single observation to offer, Numerous Voices—Do not interrup.

M. Impres—the nike of this has never before been known. (Noise.)

M. Impres—The rice of this has never before been known. (Noise.)

The Pressupers—The right of reply is absolute, but that of interruping does not exist. I therefore beg M. Theres to allow the speaker to proceed. ("Yes, yes.")

M. Enner Poard—It is M. Thiers who is in the tribune, because he is there quoted.

The Pressupers—The courtesy of the Minister may permit the interruption, but, in the interest of the regularity of our debaces, I demand that the right of the speaker be supported. ("rice of "Yes, yes," and numerous marks of asseat)

M. Baroche—According to the observations of the Pressident I request to be allowed to proceed. ("Yes, yes." "Go on.")

M. Thiers—This is violence. (Prolonged noise, and ories of "Order, order.")

The Pressupers—It is not violence, but the strict observance of the regulations of the Chamber, the application of which no one here has a right to contest. (Hoar, hear.)

M. Karoche—In quoting M. Thiers on this question the contest is according to the server of the regular of the area.

different periods; but history will judge. We ask that the jurisanction of the judges smould be retained for press misdemeanors, as it is for all others. The honor and independence of the judicial benen of France are the entry of other nations, and the nighest intereass of the cutzens are confused to their keeping. Why, therefore, should the journals not be let to their jurisdiction. An argument is used against the judgments rendered by the bench, to this effect—that their conclusions are accompanied by reasons which sometimes nobody can comprehend, whereas the jury simply decides yes or no. I confess that I am unable to understand this objection. I prefer a jurisdiction which gives the reasons for its decisions. The jury would sometimes be extremely severe, on other occasions excessively indugent; for in

A prefer a jurisdiction which gives the reasons for its decisions. The jury would sometimes be extremely severe, on other occasions excessively induspent; for in these case it is essentially a political tribunal.

A Voice—Funt is why we demand it.

M. BAROCHE—And a political tribunal drawn by lot, (Hear, hear.)

M. GLAB-BICOH—Every one has his chance.

M. BAROCHE—I do not like this hap-nazard sort of justice. Must we always be told that wheen man puts on the robe of a judge he is sold to the government and never fails to condemn, as M. Pelletan pretends?

M. PRILETAN—I request to be heard.

M. BROCHE—From 1802 to 1807 there have been in Paris as many acquittats in press cases as condemnations. (interruption.)

M. ULIME FAVIR—We are not aware of them.

M. PREMID—in political prosecutions, be it understood.

B. BAROCHE—From 1702 to 1867 there have been in Paris as many acquittals in press cases as condemnations. (Interruption.)

M. JULES FAVIC.—We are not aware of them.

M. Picasid.—In political prosecutions, be it understood.

M. BAROCHE—I speak of all press prosecutions.

M. Picasid.—In political prosecutions.

M. Picasid.—In political prosecutions.

M. BAROCHE—Is figures which I am about to quote include ait. In 1852, out of 215 political offences, 54 were by means of the press, and of these there were 23 acquittals; in 1864, of 61 proceeded against. 27 acquitted; 1855, 19 out of 32; 1756, 34 cut o 86; 1857, of 61 charged, 34 acquitted; 1855, 33 found not guilty out of 32; 1756, 34 cut of 86; 1856, 35 acquitted; 1855, 33 found not guilty out of 33; 1756, 34 cut of 86; 1857, of 61 charged, 34 acquitted; 1855, 33 found not guilty out of 35; 1859, 190 unt of 39; 1756, 34 cut of 86; 1857, of 61 charged, 34 acquitted; 1856, 190 unt of 39; 1756, 34 cut of 86; 1856, 35; 1859, 190 unt of 34; 1756, 34 cut of 1856, 35; 1859, 190 unt of 34; 1756, 34 cut of 1856, 35; 1859, 185

the Minister of Justice that the jurisdiction of the jury in press oftenose ceased to the satisfaction of all men of a sound way of thinking. From 1739 every political man has demanded this vuarantee is the interests of the greatness of Franca. (Hear, hear from the Left.) The institution of the jury in 1519 was not an innovation, but a return to grand national traditions dating back to the turiteenth century. Nor was it considered a danger, as the henorable Minister has alleged; the perit to the tomorable Minister has alleged; the perit to the monarchy arose from giving authority to the Correctional Polica. After all, the press, which is so much dreaded, has only the power of opinion, and to compress the laster is to lead, sooner or later, to an explosion dangerous to the government. (Applause from the Left.) I also deny the assertion of the Minister that the monarchy of July regretted having entablished the jury in press offences. The greatest enemy of the rigime weat its if, and if it had made some of the concessions demanded it to tald still be in extence; on its ruine the empire would not have been erceted—the empire which commenced by fill inform us all our tiberties. (Strong denial; murmure from a great number of benches; cries of "Order, order.") murs from a great number of benches; cres of order.")
The Puzzinent—I cannot allow either the substance or the form of that statement to pass. (Hear, hear.)
M. JULES FAVEZ—I am ready to withdraw the word. I

the form of that statement to pass. (Hear, hear.)

M. JULES FAVER—I am ready to withdraw the word. I renounce it.

Several MENERS—You are right in doing se.

M. JULES FAVER—Not for the substance; only as to the form of my idea. (Fresh exclamations.) Because the latter is atrictly conformable to history. The very circumstances in which we find ourselves in this debate is a proof of it. The Minister reproaches us with not being satisfied by the measure of justice and liberty granted by the present bill. But who gave the liberties of France into his keeping, to grant or withhold? The historical argument on this question is, however, of less weight than that founded upon principles; and common sense instructs us that in q estions so delicate, and which excue so many susceptibilities as those arising out of conflict of opinions, ordinary citizens are better able to decide than learned judges. (Irtainly, I would allow private offences to be tried by a judge; but in cases in which the government is the prosecutor, no; because influence may be brought to bear upon nim. The common law jurisdiction is that of the jury; the exceptional that of the judge. (Recamations.) All we ask is that offences of opinions should be submitted to the same tribunal which decides disputes involving property. (Hear, har.) Let us be wortly of our torefathers, and when the question is to protect the liberty of thought let us not attandor the guarantee weight appeared to them to be primary in their character. (Warm appliance from the left, and cries of "Divids! divide!")

The chamber them divided on the amendment so far as it reterred to the submission of press offences to a fury. The numbers were—in its favor 58, and against it 190. The amendment was therefore deciared not to be taken into consideration.

The Amendments to the Bill.

The Amendments to the Bill.

[From Galignani's Messenger, Feb. 11.]

The number of new amendments presented on article three of the Frass bill sent back to the commutee is at present eight. The first proposes to apply large amounts of caution money—only to the journals of the Same and of the Rinone; the second suppresses the words "Seme-c-Oises" the third proposes a stamp of three centimes for all the journals in the Seine and Seine-et-Oise, and one centime in the other departments, with a reduction of one half for journals whose size shall not exceed thirty-six decimetres square; the fourth exempts from the stamp publications not containing advertisements; the fitth and seventh suppress the word "reclame;" the sixth allows special jounds to insert without stamp all savertisements reintive to their specialty; and the eighth proposes that "an snalytical report of the sittings of the Senate and Legislative foody snall no sent gratuitously to all the political journals of France and the colonies appearing more than twice a week. Those spilements are to be forwarded postage free with the next numers of the journal."

The New Army Bill—Organization of the The Amendments to the Bill.

The New Army Bill-Organization of the

spinements are to be forwarded postage free with the next numbers of the journal."

The New Army Bill—Organization of the National Guard.

The French Minister of War has addressed to the Prefects the following circular relative to the organization of the National Guard mobile:

Paris, Feb. 4, 1868.

Gestlemes—According to the provisions of article 14 of the law of February 1, 1868, the men, numbersed, or widowers without children, of the classes 1866, 1865 and 1864, who have been interated by the Councils of Revision, form part of the National Guard Abobie:

Those of the class 1866 for four years.

Under the general denomination of liberated must be included, not only the men whom the council of Revision has declared to one released from the obligation to serve in the army in consequence of having drawn high numbers, but also those exampted by the application of paragraphs 3, 4, 5, 6 and 7, of article 13 of the law of March 21, 1832. The man exonerated of those three classes do not form part of the National Guard Mobile. As the service in that corps detections the day of promulgation of the law, there arises a necessity to compose immediately in each commune a last of the young men destined to serve. This return is to be drawn up by the mayor, assisted by the four mulcipal councillors woo stand first in order. These functionaries with employ for that purpose the lists of the drawings for the classes of 1866, 1866 and 1864, from which they will take the names of the young men who were either exampled in virtue of paragraph 3, 4, 5, 6 and 7 of article 1807 the law of 21st March, 18, 2, or were liberated by the numbers they drow. They will ascortain that the young men have still their dominicle in the commune; and second, that on the day of the promugation of the law they were neither married nor widowers with chair on the last, of the young men who may from the above mentioned classes 1865 and 1864. Receive, &c., NIEL, Marsual of France and Minister of War.

The Hanoverian Refogees.

The Hanoverian Refugees.

[From La France (of Paris), Feb. 11.]

For some time past foreign journass have been speaking of the arrival in France of a number of sodiers woom they can the Hanoverlan legion. The fact is that a certain number of sodiers from Hanover nat taken retuge in holland. Their stay there having called forth some protes a they went to Switzerland, where they have remained for a year, without provoking any susceptionities, when, all of a sudden, foreign induced mane itself left, and led the Federal Council to send away the men. Under these circumstances they arrived at strasourg, whence the officers have been cent to Bourges, and the private sentence are distributed throughout the vinlages of the Countyague district. That is all that has occurred.

### ENGLAND.

"The Menken" in Court-Widesprend Poverts

The London Star of the 11th of February reports:-Miss Menken has brought an action sgainst Mr. E. T. Smith for alleged breach of contract to employ her at

Smith for alleged breach of contract to employ her at Astrey's theatre. The case should have come on yeater-day at the Court of common Pleast; but a postpoaement was granted on account of the prior of the piaintiff a witnesser. As hits Monken will reave tols country for Cantornia in a month's time, arrangements were made for the trial of the case before her departure.

The united executive committee of the Central Relief Association field a meeting at the Mansion House, London. The total of the contributions received is £2,190 Miss Courts sent £500; Baron Rothachid £500 Grants were made to various local committees in union. One of these committees in union the Bathani green district it was stated there are about 120,000 people suffering mainly from caronic poverty.

### SPAIN

The Carlist Revolution-Its Symptoms and Atm.
The Telegraph of Gratz (Lower Austria) publishes the

following respecting the Carket revolution in Spain, the accomplishment of which to a certain extent has been

accomplishment of which to a certain extent has been already reported by special cable telegram in the Himald.

The Telegraph says:—Many journals, Beigias, English, Ac., speak of a probable Carlist insurrection in Spain—that is to say, in favor of Don Carlos, eldest son of Don Juan de Bourcon. The belief in this grave announcement is steadily increasing on account of the actual state of the country and the great influence of the Carlist party, which represents at the same time Catholic and legitimist principles in all their integrity. The motto, "God, Country, King," will always raily to it Castillan hearts. Don Carlos desires to resture Spain to its former greatness, and he can rely upon generals of the highest capacity and upon enducant men in all classes of society. Young, educated in adversity and passionately loving his country, he desires to see her again become great and prosperous, as in the best periods of her history; and he has faith in God, in his owe right and in the Spanish nation.

The Union, the legitimist journal of Parls, adds that its 6m information enables it to confirm the above statement.

### RUSSIA.

War Preparations and Needle Gans-Catholic Conversions to the Greek Church.

The Bankers' Garets of St. Petersburg announces that

in the great arms factory of Toula great activity pre-

in the great arms factory of Touls great activity prevails. The establishment has already prepared fifteen thousand needic gues, and hopes are entertained that one hundred thousand will be farnished before the end of the year. These muskets leave nothing to be derired; a soldier can fire seventeen shots a minute if the cartridges are placed on a table beaude him, and nine when he has to take shom from his cartcuche box.

The faultide russe states that in the town of Doubrawa, government of winsk, two thousand Catholics with their cure, named Kabko, have become converted to the Greek Russian religion. In the lown of Jasaw, same district, the former Catholic church is about to so Greek Russian religion. In the purposes of he Greek rite.

NEW YORK CITY.

THE COURTS.

UNITED STATES CIRCUIT COURT. Notice to Jurore. Before Judge Smalley

At the opening of the Court this morning Judge Smalley directed the jury panel for the February term to be called over, when an unusually large number of the jurors summoned were in attendance and answered to announce that in consequence of the trial of the cause commenced Thursday last—Hutton vs. ex Collector Scheli—and which will probably occupy the present week, the jurors rummoned for the February term are scheli-and which will probacy occupy the present week, the Jurors cummoned for the February term are discharged from further attendance till Monday mora-ing next, at eleven o'clock, when they will be again re-quited in court. The Clerk made the announcement, as directed, when an immediate exodus from the court-room took place, eaving it to the quiet of the proceed ngs in an unusually uninteresting though very important

The Hutton-Schell Case.
The case of Benjamin T, Hutton vs. Augustus Schell, late
a collector of the port of New York, was then resumed. M. Simon Towle, counsel for the defence, stated to the court that he would now direct his attention to the rates of commission charged in the markets of Continental Europe and in Great Britain, the claimants in this case Europe and in Great Britain, the claimants in this case saying that the rates charged against them by the appraisers in the Custom House are in excess of the proper rates charged in the markets. A number of witnesses were briefly examined on this point, which, with the discussion of points of law between counsel, occupied the whole of the session. Judge malley, while auxious to give the fullest latitude to counsel, and admitting a mass of testimony which might not be considered as strictly bearing on the case, is prompt in checking a course of examination that takes too wide a range. The court desires that whatever result may be had on this trial shall settle not only the points at issue therein, but many kindred cases depending upon it. Counsol for the government, Mr. Towle; for the claimants, Mr. E. Deanleid Smith, ex-United Sintes District Attorney, and Alfred Douglass, Jr.

UNITED STATES DISTRICT COURT. The Stenmship Albambra and Schooner Wonder Collision Case. Before Judge Biatchford,

David Kinney and Others vs. The Steamship Alhambra. Judge Blatchford yesterday rendered a decree in this parties injured in a collision which took place about iffly miles off Cape Hatteras between the steamship Alhammiles of Cape Hattorns between the steamship Alhambra and the schooner Wonder, on the 28th of June, 1865, by which the schooner was sunk and totally test, the master and part owner. John Smith, and two passengers kined, and the mate so badly injured that he afterwards died in hospital. It was alleged on the part of the schooner that the collision occurred by the fault of the steamer in not taking proper steps in time to avoid it. The steamer claimed that the collision occurred by the lault of the schooner in changing her course. The facts were in dispute on all points. The Judge held that the change in the schooner's course was long enough before the collision to relieve it of fault; the steamer was clearly wrong in starboarding and not porting and in not stopping until she actuarly struck the schooner. The Judge decided that there must be a decree holding the sceamer liable for the collision and for the damages caused by it in this suit and in the other six suits pending against the steamer, with a reterence to ascortain and report the damages. Beebe, Dean and Donohue for the inheliants; Benedict and Benedict for the calimants.

At the opening of the court yester ay morning the case of The United States vs. 1,209 Quarter Casks of Sherry was resumed. Counsel for the government commenced by reading a correspondence which passed be tween Lacare Echicopar, of tadiz, and Galway Casado, of this city, on the consignment and receipt of this wine. This correspondence extended over the interval from the 28th of October, 1865, to the 8th of August, 1866. Counsel then put is evidence five invoices of wine consigned by the same party in Cadiz to Mr. Mills, of New York, to prove that the quality and value of this wine was identical with the quality and value of the wine under seizure. The remains of those documents produced some legal discussion, but they were ultimately, received by the court and marked in evidence. The proceedings in the case are still confined to documentary evidence.

#### UNITED STATES DISTRICT COURT-IN BANKRUPTCY.

Petitions Filed Yesterday. Wixson, Sing Sing, Westchester county Referred to Register Close. George M. hott, Sing Sing, Westchester county. Re-

ferred to Register Close.

Richard Davies, New York city. Referred to Register

Villiams, Thomas Hillar, New York city. Referred to Register Thomas Rillar, New York City. Referred to Register Dayton.
Hyram B. Whetherell, New York city. Referred to Register Dayton.
Limeon Gaus, New York city. Referred to Register Ketchum.
John M. Berriam and Cornelius A. Berriam, New York city. Referred to Register Fitten.
David W. Pierce, Poughkeepsie. Referred to Register

Beaic. Edward J. Kilbourne, New York city. Referred to

Register Daylon.

Benjamin Franklin, New York city.

Referred to
Register Alien.

Ebenezer H. Balch, New York city.

Referred to
Register Dwight.

SUPREME COURT-GENERAL TERM. The Drew-Erie Suspension Case-The Re-Paters Judges Barnard, Ingraham and Sutherland,

The People, &c., by Their Attorney General, Petitioner for the Ramonal of Daniel Drew, de. - This was an appli-cation for an order to show cause why an appeal from Frank Work of the petition presented to this court for the removal of Daniel Drew should not be allowed.

the removal of Daniel Drew should not be allowed. David Dudley Field, for the respondent Drew, spoke of the great interest to the public of the precedent involved in the case, and which would in some degree reader a departure from the ordinary practice in proceedings of this kind proper.

Mr. Fullerton said that in reality this was no appeal, and he saw no reason way the court should depart from the regular method of procedure.

Mr. Field thought the case was one of great importance, as, if the order of Judye Barnard was susqued, the directors and all other officers of any other configuration and belief, from the exercise of their functions on superior allidavits made on information and belief.

Mr. Fullerton said the other fide was ready for any course except to asswer the petition, and tols was only an effort to induce this court to relieve Daniel Drew from the additivit. e affidavit.
Rapatio considered the whole affair a sham pro-

Mr. Rapsilo considered the whole affair a sham pro-ceeding on the part of hir, Drew, and relievand his belief in the statements of Mr. Fullerion.

Mr. Feel derieved that in this case, as in that also of the President at Washington, the parties were only anxious for a susponsion without trial.

The court decided that it would near the application on Thursday next, at half-past eleven o'clock A. M. The Olympic Theatre Imbrogilo-Receiver's

Boile, Receiver, da., vs. Duff, Receiver of the Olympic Theatrz.—This complicated case, which has been so long before the courts in various forms, was recently argued before this court on appeal by the plaintiff from the before this court on appeal by the plaintiff from the order made by Judge Leonard, at special term, appointing Paf receiver of the properties, &c., of the Olympic theatre. The order appealed from required Duff to furnish his own recognizance is the sum of \$50,000 for the lathful performance of his duties. The court rendered a decision yesterday on the appeal, directing Duff to furnish bonds in the sum of \$100,000, and two responsible porfice as sureties.

The Linbility of Express Companies Under

Their Printed Conditions.

Belger, Appellant, vs. Dinemore, President of Adams
Express Company et al., Respondents.—This suit was
brought for the recovery of \$457, the value of one trunk and its contents which the plaintiff had shipped by the defendants' line and was lost in transit. The receipt given by the defendants to plaintiff contained the usual printed conditions, stipulating that in no event should the company be liable to an extent exevent should the company be liable to an extent exceeding \$50, in case of loss of the baggage by them, unless the value was expressed and a special contract made as to their liability. On the trial the defendants put the receipt in evidence. The Judge before whom the case was originally tried at the Circuit refused to submit to the Jury the question whether there was any evidence of a contract between the parties, and expressly held the conditions in the receipt to be unding on the plaintiff and innited the liability of the defendants to \$50, directing a verdict for that amount. The plaintiff appealed, and a decision was rendered yesteriay by this every granting a new trial, with costs. In his opinion Judge Ingraham [pid] that express companies are common carriers and may limit their liability by special contract; but by this express contract if must be not only that they insert the limitation in the contract, but the shipper must assent to it, as proof of knowledge on the part of the paintiff is not sufficient.

The Junet Will Case-The Commission on It

Champlain J. Bown et al., Respondents, vs. Nelson Chase et al., Appellants. -- This case came before this court at the January term on appeal from the order of Judge Cardono, denying a commission for the oral exami-nation of witness sellving in Rhode Island. The plant-tide sue to recover the title to the ostate, under her will, of kiname Jomel. The court dismissed the appeal par-terday, with leave to defendant to renew the motion on return of the written commission if such oral examina-tion be deemed necessary.

Decisions Rendered.

Before Judges Barnard and Sutherland and J. F. Barnard.
Valentine Fink vs. Simon Donan et al.—Judgmen!

affirmed, with costs. Opinion by Judge Barnard, pre-

Argued at January Term. versed, and case referred back to referee and new trial

Costs. Opinion by Judge Ingraham.

George Douglass vs. Robert N. Woodworth et al. Order reversed and order made on terms as stated in opinion.

Opinion by Judge Ingraham.

One N. Cut er vs. Joab Lawrence.—Order modified as
stated in opinion.

Opinion by Judge Ingraham.

Our N. Cuier v. Load Lawrence.—Order modified as stated in opinion.

James B-lger v. William B. Dinumore, President, de.—Verdict set aside and new trial ordered; costs to abide event. Opinion by Judge Ingraham.

Albert D. richard v. The Ham: of Chilfornia,

James Fish v. The Same.—Orders allirmed, with costs.

Archibald M. Aller on et al. vs. M. C. Martin.—Order reversed, with \$10 costs. Opinion by Judge Sutherland.

Charles P. Legoet vs. The Mutual Life In urance Company of New York.—Judgment reversed and new trial granted; costs to abide event. Opinion by Judge Sutherland.

Charles Luling vs. The Alantic Mutual Instrumer C many.—Judgment reversed and new trial ordered; costs to abide event. Opinion by Judge Sutherland.

Ernest F. eder vs. John Kelly, Sharief, de.—Order reversed, with \$10 costs. Opinion by Judge Sutherland.

Marcus Bred vs. Hayman et al.—Order affraned, with \$10 costs. Opinion by Judge Barnard, presiding, Judge Sutherland dissenting.

Champlain J. Bowen et al. vs. Nelson Chase et al.—Appeal dismissed, with leave to defendant to renew the motion on return of commission if such an examination be deemed necessary. Opinion by Judge Sutherland.

George French et al. vs. William B. Dunsmore et al.—Order affirmed, with \$10 costs.

Mendemball vs. Keink —Judgment reversed. New trial ordered. Costs to abide event.

The Union Bank vs. The Mayor.—Judgment affirmed, with costs. Opinion, by Judge Barnard.

In re St. John Ort Company.—Appeal dismissed, with \$10 costs.

In re John W. Leviz.—To vacate assessment for paving West streen. Order affirmed. Opinion by Judge In-

In re S. John Oil Company.—Appeal dismissed, with \$10 costs.

In re John W. Lewis.—To vacate assessment for paving West street. Order affirmed. Opinion by Judge Ingranam.

Boiles, Receiver, &c., vs. Duff and Others.—Order verified, so as to require the receiver, Duff, to give a band for \$100,000, with sureties It not approved and filed within twenty days plaintiff may move for another receiver. Costs to ablde event.

Litward Sament & al. vs. The Platisturg and Marreal Radroad Company.—Order affirmed, with costs, Opinion by Judge Ingraham.

Farmers' Loan and Insurance Company vs. Harmony Pere Insurance Company.—Judgment attirmed, with costs, Opinion by Judge Ingraham.

COURT OF COMMON PLEAS-SPECIAL TERM.

Decisions. Judge Brady rendered judgments in the following

cases:—
Cabill vs. Carey.—Motion denied, the undertaking for costs having been filed, and it appearing that the causs is on the catendar and the compliant swore to; \$10 costs to the detendant, however, to abide event.

Lackenweyer vs. Dicket.—Motion d nied, with \$10 costs, and defendant ordered to appear.
O'connect vs. Pow roy.—Motion denied, but without prejudice to renew on further lacts.
Cassy vs. Electric.—Motion granted, but without costs to either party.

Manhattan Brass and Manufacturing Company vs.

Laich Braiding Company.—Motion granted conditionally.

ally.

Altonogy vs. Martland.—Motion granted and cause referred to Mr. Nash. Infred to Mr. Nash.

Department Survey and Inspection of Buildings vs.

Simp.on.—injunction granted.

COURT OF OYER AND TERMINER.

Pien of Murder in the Second Degree. Before Judge Ingraham.

William O'Brien, who was indicaed for murder in the irst degree, charged with having killed a man named Lawrence Mullin on the 28th of January last, at the corner of Broad and Beaver streets, entered a plea of guilty of murder in the second degree, which was accepted, and senience deterred until Friday next.

UNITED STATES MARSHAL'S OFFICE.

The Steamship Monien. The steamship Moniea, plying between the

Charleston, was yesterday seized by the Marshal of the United States for the Southern district of New York, for an alleged violation of the Int rnat Revenue law.

COURT CALENDAR-THIS DAY.

SUPREME COURT—CHAMBERS —Nos. 164, 172, 181, 182, 213, 248, 252, 264

SUPREME COURT—CRECIT. —Part 3. —Nos. 179, 499, 134, 140, 608, 853, 1083, 900, 258, 164, 71, 713, 856, 738 \, 109, 692, 1190, 484, 1903, 1096, COMMON PLEAS —Part 2. —Equity.—Nos. 43, 53, 55, 63, 78, 83, 86, 87, 93, 94, 96, 99, 109, 114, 121, 1242, 125, 126, 128, 133, 134, 136, 137, 138, 140, 141, 142, 144, 145, 146, 147, 150, 164, 124, 125, 152, 157, 158, 169, 169, 161, 162, 163, 165, 166.

MARICE COURT—FRIAL TERM.—Nos. 305, 307, 308, 310, 312, 314, 317, 320, 323, 324, 325, 326, 331, 333, 334, 335, 339, 340, 340, 347, 389.

### CITY INTELLIGENCE.

LEGISLATIVE COMMITTER ON ELECTIONS .- This committee consisting of Frank H. Woods, presiding James B Mad-don, James Loughran, C. L. Pitts, Jacks n A. sumner don, James Loughran, C. L. Pitts, Jacks in A. Summer and Jared Sandford, sergeant-at-arms, which have been appointed by the Legislature to examine, and report to the House upon the claim of Heary Clausson, Jr., to the sea. In the Assembly now tilled by George B. Van Brunt, met Jesterday at Bervoort Hall, Fity-fourth street. Mr. Noison J. Wa eroury appeared for the contestant, and Mr. I. Lawsen, with Colonel Farrell, represented Mr. Van Brunt, Up to the present sitting (the total number of voice in this district being 339) the contestants have proved Clausson to nave received 135 votes, Kengan 20, and Cockrane 10, while the canvassers

THE ARCADE RAILWAY .- A handsome model of the pro posed arcade railway under Broadway has just been pre pared and will be submitted to the Legislature in a few days, when the bill on the scheme will be brought torward for reconsideration. The model presents the surface of Broadway supported upon ground arcaes of masoury resting upon heavy from columns, having beneath a roadway inrouge which four traces are to be laid, the two inside for rapid transit and the others for way transit. From the appearance of the model a well ventilated and well lighted road is presented, as well as a covered adewalk corresponding to the one on the surface, thus providing for increased business facilities in the baseiners of stores. The undertaking is est mated to cost about to provide the cost of the cos pared and will be submitted to the Legislature in a few

society, now operating for the relief of the destitute poor in the Eleventh, Tenth and Thirteenth wards, re port good progress is their efforts, but state that there is constant demand for food and clothing among the case above named. The office of this society is opposite E sex Market, where contributions of 1994, money and clothing will be received for distribution.

PASSPORTS FOR AUSRICAN CITIZENS -Yesterday the ormal official regulations in connection with the grant ing of passports to citizens of the United States travel-ing in foreign countries, was issued by the officers of the Department of state to the no arise and agonts for granting passports in this cuty. Hitherto the expense of procuring a passport was \$5, but now, under the now regulation, the amount is increased to \$10, arising from the revenue stamp of \$5 required to give validity to the document. ing of passports to citizens of the United States travel

NON-ARRIVAL OF THE STEAMANIP IOWA OF THE ANCHOR LINK.-Up to yesterday there were no tidings either by telegram or otherwise regarding the steamship lows, of the Anchor line, which should have arrived at this port on Wednesday last. It does not appear that she has been been spoken, sad the supposition is that she is detained by bad weather.

The Homopratise Inframant for Women, "This insti-

tation, located at the corner of Forty-eighth street and Sight avenue, is open for the reception of patients. It is the only institution of the kind in this State devoted exclusively to the homosepathic treatment of disease peculiar to women. One-fourth of the beds is set apart for free patients. Others are expected to contribute to the support of the institution according to their ability.

The NUMERICAL STRENGT OF THE NATIONAL GUARD. The inspector General of the State, in a recent statistics

The inspector General of the State, in a recent statistical report, gives the following interesting facts in regard to the etrought of the National Guard of this city and Brookiya. It is as follows:—Cavairy, First brigade, 1,166; infantry, First division, First brigade, 1,642; Second brigade, 3,699; Third brigade, 3,482; Fourth brigade, 2,818; Second division, Fifth brigade, 2,267; Eleventh brigade, 2,101. Total, 17,175. The constrength of the National Guard of the State is 47,458.

COMPANY H. TWESTY-FRIED RECINESES MATIONAL GUARD,

side of the building and letting in the room, and also throwing out the entire front of the building inte the extect. A two story tenement in the rear of \$29, occupied by four families, was also nearly demotished. One entire side was drigen in, and, strange to say, no one was injured, notwithstanding there were upward of ten persons in the rooms at the time. A great portion of the household effects of these poor people was destroyed. When the roof of the distillary fell in the wood work ignited and was soon in a biate. The prompt arrival of the fremen, however, enabled them to soon extinguish the flames. The damage to the stock and machinery will be about \$1,500, and to the building \$1,000. Mr Copeland has \$3,000 insurance on his machinery and fixtures, which amount only covers the damage done by the fire. The remember to the stock and such increase McCarty; it is do maged to the extent of \$100. It is insured in the Peter Cooper Insurance Company. The engineer, James Shaw, Mr. Thompson and another person who were in the distillery when the pluz blew out ran for the street and had only got part of the way out when the explosion occurred. They each had their hair and beard singed by the heat, but otherwise excaped injury.

Singular and Fatal Burning Casualty—Coroner Schirmer was yesterday-cailed to St. Luke's Hospital to

Schirmer was resterday called to St. Luke's Hospital to hold an inquest on the body of Frederick W. Elberling, hold an inquest on the body of Fraderick W. Eiberling, whose death was the result of burns and scalds. Decared was assistant anglader in the Gramorey Park House, and on the 12th invant received orders to thaw out the rozen gas in an iron pipe by enveloping it in cloths which had been dipped in boiling water. Instead of doing as directed, however, he took a caodie in one hand and a can of alcohol in the other, and poured the liquid over the pipe and set the alcohol on fire. At that moment the can of alcohol exploded, setting the clothes of Mr. Eiberling on fire, which ne sought to extinculably by throwing himself into a tub and immersing himself in cold water. Instead, how ver, of turning on the cold water he, by missiake, turned the hot water laucet, and was terribly scaled in addition to being burned by the explosion. Eiberling was taken to the hispital, where he died. The jury rendered a verdict of "Death from burns and scalds accidentally received." Deceased was twenty-nine years of age and a native of the East Indies.

One Honders Guns.—By order of the Tammany

ONE HUNDRED GUNS. -By order of the Tammany ONE HUNDRED GUNE.—By order of the Tammany Hall General Committee a salute of one hundred gene was fired in the City Hall Park yesterday, at noon, in honor of the announcement that the Democratic Nat-soal General Committee are to meet in this city on the Fourth of July noxt. While the firing was in progress many persons assembled in the Park and anxiously inquired if the salute had any reference to the difficulty between the President and Congress.

Accument to A Car Conductor,—A serious accident coursed to one of the Sixth Avanua Ralicond conduc-

occurred to one of the Sixth Avenue Raliroad conduccocurred to one of the Sixth Avenue Rairoad conduc-tors yesterday morning about ten o'clock. It appears the unfortunate man was in the act of collecting his lares on his trip down, b-tween Eighth street and Wa-criey place, and, having occa-ion to go to the front part of the car, he jumped from the rear platform and was in the act of jetting on the front, when his foot sulpped and he fell, the whee's passing over his foot crushing and mangling it in a most horrible magner. The injured man was conveyed to Bellevue Hospital, where he gave his name as Michael Sumpter, forty-two years of age, a Prussian by birth, residing at 110 Mott street.

ACCIDENT TO A THIRD AVENUE RAILROAD CAR. -Yester day afternoon one of the Third Avenue Rallroad cars had almost arrived at its destination, opposite the new Herard funding, when it came in contact with a wagon belonging to a farmer from Fushing, which fore away all the windows and broke the sasties completely. The car had to be driven up to the depot, minus passengers, much to the disgust of the unfortuna e conductor.

ROBBERY OF DIAMOND JEWELRY.-The room of Mr. W. E. Corwin, residing at the Metropoli, an Hotel, was entered on last Thursday night by thieves, who succeeded in stearing diamond jeweiry of the value of \$1,500.

#### POLICE INTELLIGENCE.

ngo John Roberts, a professional engineer, arrived in this cit, on rou's to Brazil and took lodgings in the day last one Thomas Reynolds, otherwise known as "The Judge," it is alleged, made the acquaintance of Roberts and represented to him that he was also going to Brazil with a quantity of machinery, and made himself so generally agreeable that soon he obtained the unbounded confidence of Roberts and invited him to take a walk. They quietly proceeded together till reaching the corner of Spring and Washington, streets, where Reynolds was satured by a stranger, who said to him, "I have sent your luggage with your wife on board the steamer, at per 43 North river," and at the same time remarked, "I want you to pay me that money before you go away." Reynolds then produced what purported to ce a check for \$1,000 on one of the city banks, and hold the individual to take his pay out of that; but of course the stranger could not change it, and naturally enough Roberts was speaded to in the emergency. The person supposed to be Reynolds told the unsuspecting itoberts if he would loan him \$300 till he could go down accord the simp he would return it to him; and Roberts was verdant enough to count out and deliver to the confidence man fifty gold so erongus and a twenty dollar gold piece. The three waked about for a short time, when the sharpers gave Roberts the ship and escaped with their plunder. The victim waited in vain for them, and after the lapse of several hours made known his loss to Captain Bracket, of the Cisy Mail Folice, to whom he gave a menute description of the principal in the vilainous roboery. Officer Wilkinson, of the Twenty-mixth precine, was detailed to make search for the swindlers, and yearerday he succeeded in arresting Reynolds, alias "the Judge" on suspicion of being the man who obtained the money from Roberts. On being conformed with the decadant Mr. Roberts led quite sure he was one of the swindlers, and accordingly made an affiliavi a sinst him. Justice Hogan committed the accused or examination. Reynolds dones nis guit and says no can prove an aibti.

An Alleged Burglass Cauum, —About seven o'clock day last one Thomas Reynolds, otherwise known as "The Judge," it is alleged, made the acquaintance of

AN ALLEGED BURGLAR CAUGHT, - About seven o'clock Sanday night officer Seton, of the Eaghth precinct, obbundles in their possession. Suspecting something wrong, he approached them, when one of the parties

## THE NEW YORK POST OFFICE.

Another stage has been reached in the tedious journey towards the erection in this city of a suitable Post Office, in the acceptance by the commission here having quest by the architects to whom were awarded premiums of \$2,000 each some months since for their individual designs, viz:-John towyn, Richard M. Hunt N. Le Brun, and the firms of Schultz & Schoen Hunt N. Le Brun, and the firms of Schultz & Schoen and Renwick & Sands. The present plan is entirely original, and not a combination of those rejected, presenting a four story building, with Man-ard roof and dome in he Fruch remaissance style of architecture, the building being shaped life the piet of which it is to be built, the mann front on the Groie, with the principal entrance looking down Bruniway and faring the Hessation building. The a vie of the several store is simple and devoid of the elaborate ornems mainton which mars the effect of may of our buildings, the intrior countraction of the building provides accommodations for the United States courts on the upper foort, with stair entrances from Broadway and Park row, the first floor being of courte used as the Pac O Co. A corridor almost twenty-two feet wide, running Learly the whole circumference of the building, will provide accommodations for those whose business calls them to the several departments. It is proposed to furnish the dome above referred to with a cipck. White marble is to be used in the construction of the building. The pian is now at the department in Washington, writher it was forwarded some days since, where it awaits the approval of Congress before being finally declared accepted.

# THE FIRE DEPARTMENT.

Conclusion of the Legislative Investigation. The Assembly Committee on Cities, which has been in attendance for the past eight days at the Metropolitan Hotel, to-day concluded the investigation into the affairs of the Fire Department, The following additional testimony was taken:-

Brookiya. It is as follows:—Cavairy, First brigade, 1,462; Second brigade, 2,509; Third brigade, 3,422; Februits brigade, 2,518; Second division, First brigade, 2,527; Eleventh brigade, 2,518; Second division, First brigade, 2,251; Eleventh brigade, 2,101. Total, 17,175. The total strength of the National Guard of the State is 67,458.

Coverant H. Tremty-third Receiver National Guard of the State is 67,458.

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Coverant H. Tremty-third Receiver National Guard of the position of second lieutenant is this company was held on Friday evening last at the regimental armory. Lieutenant McMillan presided. Corporal Hamilton Full ton receiving the largest number of votes was therefore duly elected.

Ball of the New York Assembly Rooms, and a more pleasant, enjoyable or sociable outertainment has seidom been given by any association of a like character is this city. The floor was completeably filled with merry couples, without too much crowding for convenient dancing, and the sport was kept up uniterruptedly from ton o'clock usuil near daylight this morning. Everything connected with the affair passed of in the most agreeable and harmonious manner and altogather the months of the association can congatinate themselve upon having given one of the most successful and pleasant bane of the postore.

Explains of a Distillar About half-past three o'clock yesterday afternoon an slarm of fire eriginated from No. 531 & t Twelfth street, caused by an explosion in the distillery owned by C. F. Copeland, It appears that the still was run yesterday for the first time, and that the plug blew out of the copper still when the before the plug blew out of the copper still when the before the plug blew out of the copper still when the before the plug blew out of the copper still when the before the plug blew of the first time